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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,609	02/11/2002	Ernst Rytz	01-732	5092

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04/03/2007

EXAMINER

BLAKE, CAROLYN T

ART UNIT	PAPER NUMBER
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3724

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/018,609

Applicant(s)

RYTZ ET AL.

Examiner

Carolyn T. Blake

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7, 8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 13, 2006 has been entered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1-3, 7, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolnosky (3,570,343) in view of Haack et al (4,905,556).

Wolnosky discloses the invention substantially as claimed including a press plate (34) having a V-ring cylinder (42), which is under pressure from a V-ring cylinder (88) comprising a V-ring piston rod connected to a V-ring piston (86) disposed opposite to and in support of the V-ring (42) of the press plate (34), and a blanking punch (54) which is guided in the press plate (34) and to which a die plate (24) with counter holder is assigned at a ram, wherein the ram is supported against at least one compensation cylinder (66/68) and against at least one main cylinder (58). In addition, Wolnosky discloses a hydraulic connection (64/90) comprising a tank (72, 92) and logic valve (82, 94).

Wolnosky fails to disclose the compensation cylinders are hydraulically connected to the V-ring cylinder. However, Haack et al disclose an apparatus for blanking wherein cylinders from the upper and lower die shoes are connected hydraulically. This connection eliminates the need for several tanks while still allowing for individualized control of the different sections with separate valves. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the cylinders of the Wolnosky device hydraulically connected, as disclosed by Haack et al, for the purpose of eliminating a tank.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wolnosky in view of Haack et al as applied to claims 1 and 3 above, and further in view of Baltschun (6,240,818).

The Wolnosky-Haack combination fails to expressly disclose the cross-sectional area of the compensation pistons and V-ring pistons as claimed. However, Baltschun teaches the importance of equal piston areas of opposed cylinders in a blanking device in order to achieve an equilibrium state. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the pistons of the Wolnosky-Haack combination equal in cross-sectional area, as disclosed by Baltschun, for the purpose of creating an equilibrium state.

Response to Arguments

5. Applicant's arguments filed November 13, 2006 have been fully considered but they are not persuasive.

Art Unit: 3724

Applicant argues Wolnosky does not show three types of cylinders. This is incorrect. Wolnosky actually discloses four types of cylinders including cylinders 52, 58, 66, and 68. Please also see rejection above.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn T. Blake whose telephone number is (571) 272-4503. The examiner can normally be reached on Monday to Thursday, 7:00 AM to 5:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CB

CB
March 28, 2007


BOYER D. ASHLEY
SUPERVISORY PATENT EXAMINER